

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

UNITED STATES OF AMERICA <i>et al.</i>)	
<i>ex rel.</i> JOHN R. BORZILLERI, M.D.,)	
)	
Plaintiffs,)	Civil Action No.
)	14-CV-031-WES-LDA
-v.-)	
)	
BAYER HEALTHCARE)	
PHARMACEUTICALS, INC., <i>et al.</i> ,)	
)	
Defendants.)	
)	

**ASSENTED-TO MOTION FOR EXTENSION OF TIME TO FEBRUARY 6, 2019
TO FILE REPLY ON BEHALF OF THE UNITED STATES**

The United States, through its undersigned counsel, respectfully moves this Court for a second brief extension of time to and including Wednesday, February 6, 2019, in which to submit reply papers in further support of its pending motion to dismiss this action pursuant to 31 U.S.C. § 3730(c)(2)(A). The Court previously granted one extension of this deadline owing to the lapse in appropriations that began on December 22, 2018, and continued until late in the evening of January 25, 2019. That extension provided that the United States reply would be due five business days following the restoration of funding to the Department of Justice. As previously, the Government is seeking an identical extension of time to reply in connection with its motion to dismiss in the companion case filed by Relator in the Southern District of New York: *United States ex rel Borzilleri v. Abbvie et al*, No. 15 Civ. 7881 (JMF) (S.D.N.Y.). The Government has conferred with counsel for Relator, who indicates that he consents to the requested extension.

The requested extension is necessary to complete review and conferral among both Districts and the Civil Division of the Department of Justice in Washington in order to co-

ordinate the Government's reply in both cases. We accordingly respectfully request that the Government's time to reply be extended to and including February 6, 2019.

Dated: Providence, Rhode Island
January 30, 2019

Respectfully submitted,

AARON L. WEISMAN
United States Attorney

By: /s/ Zachary A. Cunha
Assistant United States Attorney
50 Kennedy Plaza, 8th Floor
Providence, RI 02906
(401) 709-5000
Zachary.Cunha@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that, on January 30, 2019, I caused the foregoing document to be filed by means of this Court's Electronic Case Filing (ECF) system, thereby serving it upon all registered users in accordance with Federal Rules of Civil Procedure 5(b)(2)(E) and 5(b)(3) and Local Rules Gen 304 and 305

Dated: January 30, 2019

By: /s/ Zachary A. Cunha
Assistant United States Attorney